

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ROBERT CARTER,

Plaintiff,

V.

SCOTT RUSSELL, et al.,

Defendants.

CASE NO. C11-5484BHS

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation ("R&R")

of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 15. The

Court having considered the R&R and the remaining record, and no objections having

been filed, does hereby find and order as follows:

(1) The R&R is **ADOPTED**; and

(2) Defendants Scott Russell and Eldon Vail's motion to dismiss for failure to

state a claim upon which relief can be granted and motion to stay discovery are

GRANTED.

Dated this 2nd day of December, 2011.

Tom J. Selle

BENJAMIN H. SETTLE
United States District Judge